

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

CHICAGO REGIONAL COUNCIL OF CARPENTERS)	
PENSION FUND, CHICAGO REGIONAL COUNCIL)	
OF CARPENTERS WELFARE FUND, CHICAGO)	
REGIONAL COUNCIL OF CARPENTERS)	
APPRENTICE & TRAINEE PROGRAM FUND, and)	07 C 6964
THEIR TRUSTEES,)	
)	Judge Dow
Plaintiffs,)	
)	Mag. Judge Schenkier
v.)	
)	
ZELAZO BUILDERS, INC.)	
)	
Defendant.)	

JOINT STATUS REPORT

Pursuant to this Court's standing order, Plaintiffs, Chicago Regional Council of Carpenters Pension Fund, Chicago Regional Council of Carpenters Welfare Fund, Chicago Regional Council of Carpenters Apprentice & Trainee Program Fund and Their Trustees, by and through their attorney Raymond J. Sanguinetti and Defendant, Zelazo Builders, Inc., by and through its attorneys, Todd A. Miller and Kathleen M. Cahill, hereby submit a Joint Status Report.

A. Attorneys of Record. Todd A. Miller is the lead attorney of record for the Defendant and Raymond J. Sanguinetti is the lead attorney of record for the Plaintiffs. Both Mr. Miller and Mr. Sanguinetti are expected to try this case.

B. Federal Jurisdiction. Federal jurisdiction is founded under Section 502 the Employee Retirement Income Security Act of 1974 ("ERISA"), 29 U.S.C. § 1132 and Section 301 of the Taft Hartley Act, 29 U.S.C. § 185

C. Nature of Claim. The basis for the claim asserted in this lawsuit is that the Defendant failed to pay fringe benefit contributions for the months of June 2007 through February 2008. Plaintiff also alleges that the Defendant also owes liquidated damages, attorney's fees and court costs.

D. Status of Service. The Defendant has been served with the Complaint and Summons. Defendant has not yet filed an Answer and requests leave to do so within seven (7) days.

E. Principal Legal Issue. Whether Defendant failed to make fringe benefit contributions to Plaintiffs in violation of the collective bargaining agreement, trust agreements and ERISA.

F. Principal Factual issue. The only factual issue is the number of hours worked during the period June 2007 through February 2008 by individuals performing work covered by the Carpenters collective bargaining agreement, which will form the bases for the delinquent fringe benefit contributions owed to the Plaintiffs.

G. Jury Trial. Neither party has or is expected to demand trial by jury.

H. Brief description of discovery. The parties believe that informal discovery should resolve any disputes and the Defendant will forward its record of hourly work performed during the relevant time period at issue in the complaint.

I. Trial. The parties should be ready for trial within 100 days.

J. Consent to proceed before the Magistrate. The parties do not consent to proceed before the Magistrate Judge.

K. Settlement. Settlement discussions are ongoing and the parties believe that once a calculation of damages is provided, they should be able to resolve this case.

L. Settlement Conference. The parties do not believe a settlement conference would be helpful at this time.

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